FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.2141 OF 2006

Shri Umesh Baburao Kothikar ..Applicant
V/s.
The State of Maharashtra ..Respondent

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.S.P.Kadam for the applicant.

Mr.P.S.Hingorani APP for the State

Coram : R.S.Mohite,J

Date : 8.6.2006.

PC

1. This is an application for grant of anticipatory bail. The applicant who was the Chief officer of Daund municipality alongwith others is shown as one of the accused in C.R.No.104/2005 registered by the Daund police station for alleged offences under Sections 420 & 468 of IPC. On perusal of the FIR it appears to be grievance of the Complainant that the refund cheque of Rs.15,000/- which was supposed

to be given to him was taken out in a bearer form by the accountant who was the co-accused and fraudulently encashed. It is argued on behalf of the applicant that he was senior officer who was instrumental in obtaining the signature from the President. There was no material to show that he has prepared the cheque in violation of the procedure or in the bearer form. It appears that the Sessions Judge has rejected the anticipatory bail on the footing that the custodial interrogation is required to be made as to who made the signature of the Complainant. In my view, the applicant is a person whose signatures would be readily available for investigation. The amount involved is Rs.15,000/-. It is possible that the cheque may have prepared by the accountant and the subordinate. In my view, anticipatory bail can be

granted. It is therefore, directed that in the event of arrest, the applicant may be released on bail in the sum of Rs.10,000/- with one surety in the like amount with a direction that he will co-operate with the investigating officer and will attend the police station whenever called upon to do so. Application stands disposed of.

(R.S.Mohite,J)